IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 18TH DECEMBER 2007 / 27TH AGRAHAYANA 1929

MFA.No. 1462 of 2001(B)

WCC.178/1996 of W.C.C.,THRISSUR
.....

APPELLANT: 2ND OPPOSITE PARTY:-

THE DISTRICT MANAGER,
FOOD CORPORATION OF INDIA GODOWN,
MULANKUNNATHUKAVU, THRISSUR.

BY ADV. SRI.P.JACOB VARGHESE, SC, FCI

RESPONDENTS:APPLICANTS/1ST OPPOSITE PARTY:-
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1) **ULAHANNAN, KAKKANATT THADATHIL HOUSE,**
KATTILAPOOVAM, KOLATHASSERY,
THRISSUR DISTRICT.

2) **ANAMMA, W/O.ULAHANNAN,**
DO. DO.

3) **CICY K.JOHN, W/O.ELIAS,**
KAKKANATT THADATHIL HOUSE,
DO. DO.

4) **MINOR ANGEL K.ELIAS, S/O. ELIAS,**
DO. DO.

5) **MINOR ELSON K.ELIAS,**
DO. DO.

6) **THRISSUR FOOD CORPORATION LABOUR**
CONTRACT CO-OPERATIVE SOCIETY LTD;
NO.R.730, MULANKUNNATHUKAVU,
REP: BY ITS SECRETARY.

BY ADV. SRI.M.B.PRAJITH

THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON 18/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S. Radhakrishnan &
T.R. Ramachandran Nair, JJ.

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M.F.A.NO.1462 OF 2001

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Dated this the 18th day of December, 2007

JUDGMENT

Radhakrishnan, J.

The second opposite party is the appellant. The accident is not disputed, though there is some dispute with regard to the place of occurrence. The only question is whether the amount of compensation awarded is on a higher side or not. Commissioner, after considering all the aspects of the matter on facts, found in favour of the claimant and awarded a compensation of Rs.2,03,850/-. In the facts and circumstances of the case, the amount awarded is only just and proper. Since the order passed by the Commissioner is on facts, no interference is called for by this court, unless the same is vitiated on any other grounds.

The appeal is therefore dismissed.

(K.S. Radhakrishnan, Judge.)

(T.R. RamachandranNair,Judge.)

kav/-

K.S. Radhakrishnan &

T.R. Ramachandran Nair, JJ.

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M.F.A. No.1462 of 2001

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JUDGMENT

18th December, 2007.